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June 25, 2021

VIA CM/ECF

Honorable Vincent L. Briccetti
United States District Judge
United States District Court for the Southern District of New York
300 Quarropas Street, Room 630
White Plains NY 10601

**RE: *Charon Coins, LLC v. Sonea Griffiths*, No. 7:21-cv-2777 (VB)
Consent Motion for Leave to Serve *Subpoenas Duces Tecum***

Honorable Judge Briccetti,

Pursuant to Fed. R. Civ. P. 26(d)(1), Plaintiff Charon Coins, LLC, (“Charon”), respectfully requests the Court grant leave to serve a *subpoenas duces decum* on BMO Harris Bank, N.A. (“BMO”) and TD Bank, N.A. (“TD”). That rule permits discovery prior to the parties’ initial discovery conference “when authorized by ... court order.”

As discussed during today’s status conference, this case arises out of Plaintiff’s selling \$258,000 of Bitcoin to Defendant Sonea Griffiths. Although Ms. Griffiths initially made payment, Charon’s agent’s bank, BMO, claimed to receive a “fraud affidavit.” As a result, BMO froze the account and reportedly returned the purchase money to TD Bank. At present, the parties do not know (a) the source or content of the fraud affidavit or (b) the disposition of the funds BMO claims it returned to TD. Accordingly, both parties will benefit from the proposed discovery intended to reveal the current custodian of the purchase funds. Ms. Griffiths communicated her consent to the within Motion during today’s status conference. Accordingly, Charon respectfully requests its Motion be granted. A proposed form of order is attached hereto.

Respectfully submitted,

/s/ Steven M. Oster

Steven M. Oster (*PHV* Admission)

Counsel to Plaintiff Charon Coins, LLC

Admitted in D.C. Only

CERTIFICATE OF SERVICE

This will certify the attached Letter Motion was served by electronic mail on the defendant, Sonea Griffiths at her residence:

Sonea Griffiths
151 Park Avenue
Mt. Vernon, NY 10550
Soneasing@gmail.com

June 25, 2021

/s/ Steven M. Oster
Steven M. Oster